HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.27817 of 1997

Dated:07.02.2007

Between:

M. Punuswamy.

...Petitioner.

and

Mandal Revenue Officer, Kuppam, and another.

...Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.27817 of 1997

ORDER:

The petitioner claims to be in possession of 1½ cents of land, in Sy.No.146/1, for the past 30 years. It is stated that the land in Sy.No.146/1 is part of Gramanatham proamboke. The petitioner is said to have put up a shed and doing the business of selling beedies and other small consumable articles in it. It is stated that the petitioner submitted an application for grant of patta, in respect of a site and even while the same is pending, the respondents tried to evict him on 22.10.1997. He seeks appropriate direction in this regard.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Revenue.

Even according to the petitioner, the land, which is said to be in his possession, is part of Gramanatham. It is required to be put to public use. The question as to whether any patta can be granted in favour of the petitioner, in respect of the land which is said to be in his occupation, or whether the same is needed for any public purpose, is to be considered by the concerned authorities, as and when the situation arises. Even assuming that the occupation of the petitioner over the said land is

unauthorised, the respondents have to follow the procedure prescribed under the Andhra Pradesh Land Encroachment Act, 1905 (for short “the Act”), before evicting him.

Therefore, the Writ Petition is disposed of, directing that the respondents shall follow the procedure prescribed under the Act, before the petitioner is evicted from the site in question. There shall be no order as to costs.

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Dt.07.02.2007
L.NARASIMHA REDDY, J
GJ

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